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Attorney Docket No.: 018623-006240US

Assistant Commissioner for Patents  
Washington, D.C. 20231

On September 27, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: Guy M. Marshall

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SETTE et al.

Application No.: 09/709,774

Filed: November 8, 2000

For: ALTERATION OF IMMUNE  
RESPONSE USING PAN DR-BINDING  
PEPTIDES

Examiner: DeCloux, Amy M.

Art Unit: 1644

RESPONSE TO RESTRICTION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants submit this response with reference to the Office Communication mailed July 2, 2002. A petition for a two-month extension of time to respond from August 2, 2002 to October 2, 2002 accompanies this response.

REMARKS

**I. Restriction**

Applicants hereby elect with traverse the claims of Group I (claims 18-26), drawn to a polynucleotide encoding a fusion protein.

Restriction of claims in a patent application is discretionary. A restriction requirement is made to avoid placing an undue examination burden on the Examiner and the Patent Office. According to the MPEP, where claims can be examined together